



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://cao.lacounty.gov>

DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

December 19, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVE AND ORDER PUBLICATION OF NOTICE OF INTENTION TO PURCHASE
REAL PROPERTY - 122 NORTH TOPANGA CANYON BOULEVARD, TOPANGA
(THIRD DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that your Board has previously approved and adopted the Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program for this project in compliance with the California Environmental Quality Act (CEQA).
2. Approve the attached Notice of Intention to purchase a 0.62 acre parcel of unimproved real property located at 122 North Topanga Canyon Boulevard, Topanga (Topanga Property), from Los Angeles County Waterworks District No. 29 (District), for a purchase price of \$340,000.
3. Instruct the Executive Officer of the Board to cause publication of the attached Notice of Intention in accordance with Section 25350 of the Government Code.

**IT IS FURTHER RECOMMENDED THAT, AT THE TIME OF CONSUMMATION,
YOUR BOARD:**

4. Order the purchase consummated in accordance with Section 25350 of the Government Code.
5. Approve payment from Capital Project Fund No. 77484 to pay for the purchase of the subject property in the remaining balance amount of \$339,500.

6. Acting as the governing body for the District, instruct the Chairman to execute the attached Grant Deed to complete the transfer of title to the County of Los Angeles (County).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to acquire title to the Topanga Property, an unimproved 0.62 acre parcel owned by the District in the unincorporated community of Topanga. The District has determined that the Topanga Property is surplus to its current and future needs.

On December 16, 2003, your Board approved an Option Agreement which set forth the terms and conditions for the purchase of the Topanga Property between the parties, including establishing the fair market value purchase price of \$340,000. In consideration of the District's grant of option to purchase, the County has previously paid the District the sum of \$500 which the parties have agreed shall be deducted from the purchase price.

Approval of the recommended action will ultimately result in the construction of a new 11,048 square foot library facility with parking for patrons and employees in an on-site surface parking lot underneath the library building. The remainder of the 0.62 acre parcel will be improved with landscape and hardscape features.

The proposed library site was selected in order to meet the library service needs of the residents of Topanga based on population projections through the year 2020. The residents of Topanga are currently served by the Public Library's Las Virgenes Bookmobile, which provides an average of 50 hours of library service per month at various locations in the community. For additional library services beyond the limited services provided by the bookmobile, local residents must travel to County library facilities in Agoura Hills and Malibu.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Board's approval of the recommendations is consistent with the County's Strategic Plan Goal of Fiscal Responsibility (Goal 4) since construction of this facility represents an investment in public infrastructure. It is also consistent with the goal of Service Excellence (Goal 1) since the proposed facility will provide improved library services to the residents of the community. Approval is also consistent with the goal of Children and Families' Well-Being (Goal 5) because the library will provide educational facilities and programs for enhancing educational/workforce readiness.

FISCAL IMPACT/FINANCING

On October 11, 2005, your Board approved an estimated total cost budget for the Topanga Library project in the amount of \$12,595,000. This included funding for the acquisition of the Topanga Property for the purchase amount of \$340,000.

After the County's previous payment of \$500 in consideration for having the District grant the option to purchase, there remains a purchase balance amount of \$339,500.

There is sufficient appropriation in Capital Project No. 77484 budget to fund the acquisition costs.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On April 22, 2003, your Board approved the Topanga Library Capital Project, including funding for certain preliminary costs in connection with preparation of the State Library Bond Act grant application. Pursuant to the Bond Act regulations, the County was required to either own or have an option to acquire a site for its proposed library facility at the time of application submission.

The County identified the Topanga Property as the most suitable site to construct the new Library Project and approached the District concerning its acquisition. While the Topanga Property is surplus to the needs of the District, California Water Code restrictions prohibited the District from making a direct sale of its property to the County. All District property valued in excess of \$100 must be disposed of at auction to the highest bidder.

On November 25, 2003, your Board approved the adoption of a Resolution of Necessity authorizing the institution of an eminent domain action to condemn the Topanga Property in order for the County to directly acquire the Topanga Property from the District. To avoid protracted legal proceedings in connection with an eminent domain action, the parties negotiated an agreement for an option to purchase the Topanga Property in lieu of condemnation.

Thereafter, on December 16, 2003, your Board granted the authority to submit an application for Library Bond Act matching grant funds and executed the negotiated Option Agreement on behalf of the parties which set forth the terms and conditions for the acquisition of the Topanga Property. The Option Agreement set the purchase price at \$340,000 which is based upon an appraisal of the fair market value of the Topanga Property conducted by a qualified independent appraiser.

As consideration for granting the Option, the County has paid the District the sum of \$500 which the parties agreed would be deducted from the purchase price. After deducting the \$500 as agreed, there remains a purchase balance amount of \$339,500.

In 2005 the Public Library was informed that the project was not awarded a State Library Bond Act grant. Despite the rejection of grant funding, the Third District was able to allocate in its 2005 budget the necessary funds to proceed with the project.

On September 29, 2005, the Board approved a total project budget of \$12,595,000 for the Topanga Library project. The project budget is being funded with \$4,741,000 of Third District Capital Project Funds, \$403,000 of Third District Road Funds, and \$7,451,000 allocated for Enhanced Services for Unincorporated Areas.

As required by the terms of the Option Agreement, on December 6, 2006, the County provided the District with a Notice of Exercise of Option indicating the County's intention to acquire the subject real property.

Pursuant to Government Code Section 65402, notification of the County's intent to purchase the subject property was provided to the Regional Planning Department (RPD). RPD indicates that it has no objection to the acquisition.

A preliminary title report has been issued and reveals no claims or encumbrances which would significantly affect or impair the subject property's title.

The Department of Public Works has conducted a Phase I environmental site assessment and determined that no further investigations of the surface and subsurface conditions are warranted.

County Counsel has reviewed the Notice of Intention in connection with this transaction and has approved it as to form.

ENVIRONMENTAL DOCUMENTATION

A Phase I environmental site assessment of the Topanga Property was conducted and concluded that no further environmental investigation was warranted. As required by the California Environmental Quality Act, a draft Mitigated Negative Declaration was prepared for this project and circulated for agency and public review beginning on August 26, 2003 and ending on September 24, 2003.

On November 25, 2003, your Board approved and adopted the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Topanga Library Capital Project and found that by incorporating the mitigation measures described in the Mitigation Monitoring and Reporting Program, the project would not have a significant effect on the environment.

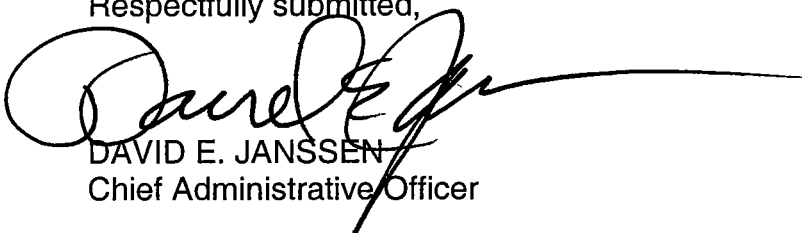
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed actions will have no impact on any current County services or any other planned or approved project.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors, return the executed Notice of Intention, two certified copies of the Minute Order, and the adopted, stamped Board letter to the CAO Real Estate Division at 222 South Hill Street, 3rd Floor, Los Angeles, CA 90012 for further processing.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:WLD
CB:RL:dd

Attachments

c: County Counsel
Auditor-Controller
Assessor

NOIPtyAcquisition.b

ATTACHMENT

NOTICE OF INTENTION

NOTICE OF INTENTION
TO PURCHASE REAL PROPERTY

NOTICE IS HEREBY GIVEN that it is the intention of the Board of Supervisors of the County of Los Angeles, State of California to purchase an unimproved 0.62 acre parcel of real property (identified as Assessor's Parcel Number 4445-008-900) located at 122 North Topanga Canyon Boulevard, in the unincorporated community of Topanga, County of Los Angeles, State of California, as legally described on the attached Exhibit A for the sum of Three Hundred Forty Thousand Dollars (\$340,000) from the owner, the Los Angeles County Waterworks District No. 29.

NOTICE IS HEREBY GIVEN that the purchase of real property will be consummated by the Board of Supervisors of the County of Los Angeles, State of California, on the ____ day of _____, 2007, at 9:30 a.m. in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. No obligation will arise against the County and in favor of the Seller with respect to the purchase of the property described herein until the Board of Supervisors approves the purchase on the named consummation date.

SACHI A. HAMAI, Executive Officer
Board of Supervisors, County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

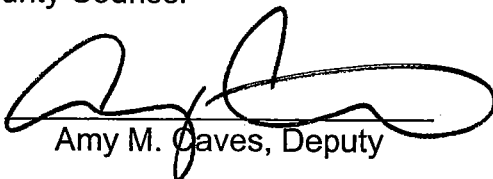
By 
Amy M. Caves, Deputy

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT A

TOPANGA LIBRARY PROJECT
Filed with: WATER WORKS DISTRICT NO. 29 (28)
A.P.N. 4445-008-900
T.G. 590 (A6)
I.M. 144-097
Third District
P77484AC

LEGAL DESCRIPTION

PARCEL NO. 28-8PP (Fee for public library purposes):

That portion of Lot 4, Fractional Section 7, Township 1 South, Range 16 West, S.B.M., described as PARCEL 28-8 in a Final Order of Condemnation, had in Superior Court Case No. 896864, a certified copy of which was recorded in Book D3583, page 165, of Official Records, in the office of the Recorder of the County of Los Angeles.

Containing: 27059± square feet.

APPROVED AS TO DESCRIPTION

May 8, 2003

COUNTY OF LOS ANGELES

By: [Signature]

SUPERVISING CADASTRAL ENGINEER II

Mapping and Property Management Division